TEST CASE DOESN'T GET BE-YOND POLICE COURT.

Where Bank Clerk Arrested for Having Revolver in Office Drawer Is Distermined-Mr. Sullivan's Opinions,

The intention of District Attorney Whitman to make a test case of the arrest of William R. Ruhl, a bank clerk taken into custody on Tuesday under a section of the new Sullivan pistol law, was frustrated vesterday by Magistrate O'Conenough evidence to warrant holding Ruhl for trial, and so the District Attorney will not be able to get the higher court to pass upon the matter, as he had hoped

Ruhl works for a banking house at 60 Wall street and has been in the habit felt of keeping a revolver in his desk as a beyond 9 per cent, per annum heretofore protection. He armed himself with it paid the Interborough-Metropolitan comwhen carrying large sums of money through the street. Last Tuesday the revolver went off while he was examining it in the office and slightly wounded another clerk. The shooting was accidental, but it was decided to arrest Ruhl in order to make a test case out of the and will continue to draw interest, which possession of the revolver.

It was conceded that the revolver had the law took effect it is unlawful to obtain a revolver without a license. What District Attorney Whitman wanted to test was whether it was against the law of the law to keep one in his desk or in his

When Magistrate O'Connor read the complaint he announced that he didn't think that Ruhl's possession of the revolver in his desk was against the new

Mr. Wasservogel," said he to the had a revolver hanging on his wall for fifteen years as a souvenir and on Sep-5 the revolver was still there and the man had not obtained a license for it do you think that that man would be guilty of a felony?"

The Assistant District Attorney thought he would. He compared the gun heense

with a dog license.
"If the law said that all dogs must be licensed after September 1 and you had a dog and didn't get a license wouldn't you be amenable to that law?"

you be amenable to that law?"

Magistrate O'Connor admitted that
he would be, but stuck to his decision
about the revolver.
Ruhl's lawyer, Benjamin Cardozo of
Ruhl's lawyer, Benjamin cardozo of

111 Broadway, said that by the common interpretation of the new law if a man had a revolver on September 1 he would have to bury it in the ground, and even hen he would be guilty of a violation of

the statute.
The evidence shows that the defendant t was not in his sole possession, and he did not have full control. He is dis-

charged."
District Attorney Whitman announced vesterday that he had arranged with Michael J. Sweeney, counsel for the Pawnbrokers Association, to have the charge made last week against Ivan Prince, a pawnbroker, for having in his window without permits five pistols, made a test case. Sweeney will apply for a writ of habeas corpus to-day for which will be returnable to-mor-fore Justice Goff of the Supreme row before Justice Goff of the Supreme Court. The decision in this case will decide one way or the other whether pawebrokers and dealers have to get permits for the revolvers they have in their shops and whether a separate permit for each revolver is necessary

each licenses from a City Magistrate or Police Commissioner. Also he can sell only to persons holding permits. Consequently the obtaining of two permits is necessary before a revolver can be sold. The law as it stands now does not draw a distinction between a permit issued for a revolver that is to be kept at a specified place and a permit that allows a man to carry the revolver. But at Police Headquarters two different kinds of permits are now being issued. The Board of City Magistrates has also prepared for the printers its own permit blanks.

Judge Foster of the Court of General Sessions was asked yesterday how he thought the new law would be enforced. He replied that some Judges believed in of 1208 Third avenue.

replied that some Judges believed in being lenieut with offenders under a new statute while others thought that such a law ought to be impressed upon the public through strict enforcement. He said he stopped off in New York. He met Wilson clined to give any opinion on the law

Timothy D. Sullivan, the father of to Mack. Timothy D. Sullivan, the father of the new law, gave out a statement yesterday regarding it. He said he was going to exert all his energies to fight any attempt to amend the statute. A large part of the law had been on the statute books for years, he said, but had not been enforced. Mr. Sullivan took issue with District Attorney Whitman, who has said that he did not think the Sullivan law would be supported by the possebolder who would be applied to the householder who kept a revolver in his home for protection. Te added:

a great office to perform and the real intent should prevail over its strict letter; the law serves a good purpose; it is a wise State and public policy which dictates the conservation of peace, law and order. The strict enforcement of the law will do much to dissipate and discourage crime.

The strict enforcement of the law will do much to dissipate and discourage crime.

The strict enforcement of the law will do much to dissipate and discourage crime.

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The strict enforcement of the law will do much to dissipate and discourage crime.

such right is defined in the Federal Con-gittution, does not seem to be infringed. Fjardo and were arrested. The law does not prohibit the possession or carrying of arms; it regulates under what terms they may be had a decided. what terms they may be had and kept, the requirements being a license properly issued."

two separate and distinct licenses, one for the carrying of concealed weapons, which in our city can be procured at Police Headquarters if the applicant is of the proper carrying it and for which a fee of \$10 is to be

I believe the license or permit for their possession should be made easy for the Kimball. Both houses, it is understood, citizen or householder to procure; that it are to be used as the headquarters of the should be issued not alone by the police authorities, but by the nearest sitting magistrate; that a nominal fee or no fee at all should be charged, and that of course all that should be necessary to obtain it would be to show to the issuing authority good character by affidavits or otherwise and good reason for such possession.

WALES BUYS SOUTHERN IRON.

WALES BUYS SOUTHERN IRON.
Cargo of Pig Going From Birmingham
District Via Savamnah.

Savannah, Sept. 6.—With a cargo of
2,500 tons of pig iron the British whaleback Whatley Hall will soon sail for
Swansea, Wales. This will be the largest single cargo of iron ever forwarded through the port of Savannah. The cargo was brought ito Savannah from
Ensley, Ala., just outside of Birmingham.
That Wales should get nig iron for savannah form
That Wales should get nig iron for savannah form
Ensley, Ala., just outside of Birmingham.
That Wales should get nig iron for savannah form
Ensley Ala. just outside of Birmingham. 2,500 tons of pig iron the British whale-back Whatley Hall will soon sail for Swansea, Wales. This will be the largest single cargo of iron ever forwarded through the port of Savannah. The cargo was brought to Savannah. The cargo was brought to Savannah from Ensley, Ala., just outside of Birmingham.

That Wales should get pig iron from America is unusual

And Provision Is Made to Retire the Inter-

The Interborough Rapid Transit Company has declared an extra dividend of per cent. out of earnings for the last year and has increased the regular quarterly dividend of 214 per cent, to 214 per charged - Rights of Dealers to He De- cent , placing the stock on a 10 per cent These increased dividends will be used to establish a sinking fund for

the retirement of the \$67,825,000 Interborough-Metropolitan 414 per cent, bonds. This action was determined upon by the directors of the Interborough-Metropolitan in 1910, when they decided to received licenses from the State Boxing appropriate \$300,000 annually out of any nor, who decided that there was not surplus income of the company to acquire showed that the clubs had not complied need money. The funds of the local the bonds in the open market at not exceeding par and interest.

President Shonts in a statement yesterday said

The time now having come when the Interborough Rapid Transit Company has justified in increasing its pany will be in a position to put in effect respect to its 4% per cent. bonds.
Inasmuch as these bonds when turned

in to the trustee as additional securit for the mortgage cannot under the terms of the resolution of June 2, 1910, be release poses, a sum of over \$40,000,000 or a larger come lawfully into his possession. Since amount if the bonds can be secured at less their expiration for the purpose of paying off the \$67,825,000 41; per cent. bonds outstanding

for a man who had come lawfully into paying off of the 5 per cent. bonds of the places.

possession of a gun prior to the passage Interborough Rapid Transit Company by escape the sinking fund provided for by that mortgage, the equipment of that company, now valued at \$38,000,000, will have been released from that mortgage and the assets of the Interborough-Metropolitan company will have been enhanced by a corresponding Interborough Rapid Transit Company Assistant District Attorney, "if a man hattan Railway Company, which has been hazard standboint, and in that light it is surplus to the Interborough company.

England Won't Have Him, and He Can't

Show That He's American.

young man who says that he hails from Newport, Ky., is being detained at there is a lack of auxiliary fire appliances

The evidence shows that the distribution of the evidence shows that the distribution of a revolver in a drawer for two years prior to September 1," said Magistrate doing odd jobs. Then he found he O'Connor, "and that on September 5 it was still in that drawer. But since others had the right of access to that drawer had the right of access to that drawer hungry. Finally, he says, to avoid state a time he got along all right in Liverpool hungry. Finally, he says, to avoid starvation he went out and smashed a window. He got seven months for this, which was rather more than he had expected. And nine shillings and injunction to leave the country within three days on penalty of being sent back for more.

He couldn't get a job on any vessel leaving Liverpool within the prescribed time, he says, and was picked up again and sent back for three menths more. according to the promise. When he had served this second bit he appealed to the American Consul, who arranged for his return on the American liner St. Louis. When he arrived in New York he had no As the law reads now a retailer can buy revolvers from a wholesaler without permits, but he cannot hold them without such licenses from a City Magistrate or the island until a sister, who he says the

himself favored the latter course, but he on Seventh avenue near Forty-second street. Silson called Fjardo's attention

Fjardo asked Mack concerning his selec-

Magistrate Preschi hit the nail on the out the afternoon. First he pawned a read in an opinion which he rendered on diamond ring for \$43 and then started i day last when he said: "This law has downtown to cash a \$200 check just sent

to dissipate and discourage crime.

"A State in the exercise of its police powers can regulate the manner of keeping and carrying weapons. States have segulated by law the right to bear arms, and such laws have been held not to intringe upon the Constitution of the United States. Here the right to carry arms, as Square with Detective Michael Curry. There Wilson and Mack were awaiting Fiardo and were arrested.

ination to-day.

Mrs. Belmont Buys House in Forty-first

Street to Shelter Clubwomen. Mrs. O. H. P. Belmont has bought from Dr. Florian Krug his residence at 13 Fast Forty-first street. Last April she bought the house adjoining at 15 from Mrs. R. B. suffrage movement. The buildings, it is said, will be connected and altered into

The suffrage party now has its head-quarters in the Metropolitan Life Insur-ance building. Mrs. Belmont came near having the use of the old Progress Club at the corner of Fifth avenue and Sixty-third street for a woman's club. The building has been vacant since the club

ACCORDING TO REPORT MADE BY FIRE CHIEF.

ommissioner Johnson Says That Report Shows That Some of the Clubs Are Beath Trans in Case of Fire Gov. Dix Asks Sullivan to Reconsider.

Fire Commissioner Johnson received regard to inspections made by firemen of the different athletic clubs that had border city Commission to hold bouts. These reports safe for the spectators in case of a fire or panic. The Commissioner said that some

fire when a contest was going on. It appeared to the Fire Commissioner fore granting a license.

Twenty-therd street, which has a capacity place for an assemblage. The club is on the third floor of the five story building.

"In my opinion the general conditions are dangerous," said the chief's report. than par will have been accumulated before | "The audience must pass through three locker rooms to get out. Some of the doors open inward. The stairs are of wood Contemporaneously, by reason of the and narrow and full of turns and landing There are insufficient means of escape from the clubrooms." The Commissioner said about this place:

"In my opinion the premises known as Brown's Gymnasium, 117 West Twentythird street, for which a boxing license has been granted by the Boxing Commisncrease in the value of its stock in the sion, is utterly unfit for the assembling of a crowd. The Fire Commissioner can will remain the lease of the Man- only view the situation from the fire difficult to imagine a more dangerous place. However, the Fire Department does not control the structural arrange-MAN WITH NO COUNTRY NOW. ments of places for which licenses are granted. That is the province of the several borough building bureaus."

In the Fairmont Athletic Club, 251 East 137th street, which holds 1.500 persons

from Newport, Ky., is being detained at Ellis Island while the immigration officials are waiting for confirmation of his story. If this confirmation doesn't come he will be sent back to England, and he says he would rather be sent to hell than to England.

The young man says he is Frederick Dube and that he is 21 years old. Two years ago, he says, he developed a desire to see something of the world. He went first to Philadelphia and there shipped to Liverpool, working his way over. For

also be made stationary, the report says. and more aisle space is required.
The Long Acre Athletic Club The Long Acre Athletic Club requires uxillary fire appliances and stationary eats. The exits are insufficient and proper

uisle space is lacking.
Stationary seats are demanded in the
New Polo Athletic Club at 1838 Park
avenue and the Madison Athletic Club at 78 Second avenue. Proper aisle space lacking in the latter place. Madison Square Garden escapes

The Fire Commissioner has no authority over these clubs under the present laws.

If Gov. Dix signs the fire prevention bill
the Commissioner will have authority

resignation.

Mr. Sullivan when told that Gov. Dix had written to request him to reconsider "I haven't heard from the Governor!

officially, but I appreciate all he has done for me in this connection. It was very kind of him to suggest that I reconsider, it I'm sorry to say I cannot change my mind."
He added that he liked the work and

would certainly have continued on the commission had his injuries received in the Fort Wayne railroad wreck permitted him to be on the job at once. Neither Mr. O Neil nor Mr. Dixon, the remaining members of the commission was willing to express an opinion yes-terday as to who might be chosen to succeed the retiring chairman. Among the names mentioned by those who are interested in the boxing game were those of Patrick Conway, president of the Irish American Athletic Association, and

larence Farley, chairman of the regis-ration committee of the Amateur Athletic Harry Pollok, who is associated with meeting of the boxing commission be held on Friday and would bring counsel along. He didn't say that would answer the questions which their counsel along. The questions which they would answer the questions which Commissioner O'Neil has asked about the management of the club and the lease of Madison Square Garden, but Mr. O'Neil believes that they will and that the will have the support of Mr. Dixon to stop his train at Hammels station and that it passed the station running at the investigation.

CLAIMS \$10,000 DAMAGES For Alleged Unlawful Autopsy on the Hody of Her Son.

of Buffalo has started an action for \$10,000 damages against Dr. Charles Bernstein. Superintendent of the State Custodial Asylum at Rome; Dr. Maxwell C. Montgomery, assistant superintendent; Gilbert N. Lehr, Coroner of Oneida county, and Dr. Howard F. Hubbard for being parties to an alleged unlawful autopsy and alleged wilful mutilation of the body of her son, Haroid Watson, who died on March 1 at the Rome institution. The action will be tried in the Supreme Court at Rome.

Sample of Buffalo has started an action for \$10,000 demanders in the brakes working order. Twice on the bined cries attracted the attention of Mrs. Elmer Dillon, the wife of a boatman, whose house was near by. Mrs. Dillon was unable to swim, but she cried for help and when she saw several young men walking along the road not far from the dock she appealed to them to get the boy out of the water. They refused. Charles meanwhile was becoming tangled in the fish line, which he still grasped to day:

Army and Navy Orders.

**Washington, Sept. 6.—These army orders were bein good working order. Twice on the darwering order. Twice on the darwering order. Twice on the airbrakes were bined cries attracted the attention of Mrs. Elmer Dillon, the wife of a boatman, whose house was near by. Mrs. Dillon was unable to relept and when she saw several young men walking along the road not far from the dock she appealed to them to get the boy out of the water. They refused. Charles meanwhile was becoming tangled in the fish line, which he still grasped to day:

Army and Navy Orders.

**Washington, Sept. 6.—These army orders were boy out of the was unable even to keep himself afloat.

The boy's brother, John, who is 15 years old, was crossing the bridge of the New Mrs. Paged Mrs. As I have said before the law contemplates A HOME FOR SUFFRAGETTES.

The statement says: "An investity of an alleged unlawful autopsy and alleged gation has developed that the engineman will mutilation of the body of her son, did not avail himself of all the means for

a paralytic since he was two years old. She alleges that the records show that Drs. Hubbard and Montgomery made only a superficial examination of the dead bouth's body and determined imme-imately the cause of his death. Mrs. Vatson also alleges that affidavits to is effect are on file in Oneida county wing no reference to the necessity for in autopsy.

Louis Sabow Asks a Writ of Habeas Corpus.

Louis Sabow, the hotel keeper and forner postmaster of Roosevelt, N. J., who was arrested here last Saturday charged with obtaining money from Hungarian

PUZZLING OVER PISTOL LAW INTERBOROUGH DIVIDENDS UP. MANY BOXING CLUBS UNSAFE NITROGLYCERINE FROM KITES.

Magonistas Plan Attack on Juarez Fron El Paso-In Need of Cash.

EL PASO, Sept. 6.-Using scientifically constructed box kites for dropping nitroglycerine bombs from a high altitude the Magonistas will make an effort to capture the city of Juarez on September 16 if the leaders who are now in El Paso not lose their nerve. September 16 is Mexican Independence day and the leaders believe that large numbers of reports from Chief Kenlon yesterday in dissatisfied Maderistas will flock to their has been before the public since Mrs. ranks if a demonstration is made on the

Another reason is spurring the Magonistas to plan the proposed attack: they with the requirements necessary, in the Junta are low. Likewise the Los Angeles opinion of the firemen, to make them Junta is getting short of ready cash. The banks, custom house and stores panic. The Commissioner said that some in Juarez have a quantity of real money of the clubs as at present arranged were on hand, which looks good to the "counter veritable death traps should there be a revolutionists," because with it they can finance their border insurrection. Plans indictments charge both men with smugfor the box kites have been drawn by gling and with conspiracy with "divers that the State Boxing Commission had an American soldier of fortune who made no inspection of the premises be- fought with Madero, the nitroglycerine has been ordered and the 200 Magonistas say they now await only the 16th to start that Brown's Athletic Club at 117 West their second attack upon the old town.

The Magonistas are holding regular of 900 persons, is especially a dangerous meetings to discuss their plans; they are long on discussion. "But wait," they say. "When we take the town and secure the coveted loot we will be able to buy the machine guns which an unsympathetic American company insists shall be paid for in advance. Then the second hand rifles will be bought wholescale and amount it or progress.

the second nand rines will be bought wholesale and ammunition procured.

The merchants of Juarez are somewhat uneasy over the large number of laborers now in the city out of work. There are about 900 of these in the city at present and they have no means of subsistence aside from what is given by the city and donations made by the merchants. Several hundred more are coming and the authorities expect that there will be a thousand there by Friday.

Mayor Guillermo Alvarez telegraphed to Gov. Abram Gonzalez to-day to have him order the Mexican National Railroad to take the men south. It is probable that a special train will be made up to take the men away from the border. Juarez citizens fear that so many idle men being in the city Magonistas may induce them to join their ranks. One hundred and fifty laborers were sent south on the Mexican National passenger train Tuesday evening, but the peons keep coming into the city faster than they can be moved south.

DRUMMOND'S FIRM SUED By Jamaica Water Supply Company, Which Charges Fraud.

Charities Commissioner Michael J Drummond, who with his son, Walter J. Drummond, makes up the firm of M. J. Drummond & Co., dealers in iron pipe and water supply accessories, was charged in the Supreme Court by the Jamaica Water Supply Company, in which the plaintiff sues for \$10,000.

The plaintiff is a public service corpo ration at Jamaica, L. I., and the complaint states it is compelled to use large quantities of water pipe and accessories. It is alleged that immediately prior to June 28, 1909, Commissioner Drummond and his son and Warren Leslie, a lawyer, obtained control of 1,507 shares of stock Madison Square Garden escapes in the water supply company, which was a majority. On that date a meeting of stocknolders was held at which Commissioner Drummond and Mr. Leslie were elubs that have obtained boxing heenses.

continues in such capacity.

The complaint states that while Com-If Gov. Dix signs the fire prevention bill the Commissioner will have authority to vacate all dangerous buildings.

Gov. Dix repeated yesterday that he hoped James Sullivan would remain as chairman of the State boxing commission. The Governor has written Mr. Sullivan a letter expressing the hope that Mr. Sullivan would reconsider his resignation and consent to continue as head of the commission, as the Governor feels that the Frawley boxing law can be justified if properly enforced and if the local authorized in properly enforced and if the local authorized in control of the water supply company the properly enforced and if the local authorized in control of the water supply company the properly enforced and if the local authorized in control of the water supply company in the properly enforced and if the local authorized in control of the water supply company in the commission. The Governor has written Mr. Sullivan a letter expressing the hope that Mr. Sullivan would reconsider his resignation and consent to continue as head of the machine the formal commission, as the Governor feels that if properly enforced and if the local authorities throughout the State give the same support to this law as they do to the various other general State statutes. Until he hears further from Mr. Sullivan Gov. Dix will take no action upon his resignation. Gov. Dix will take no action upon his furnished, exclusive of all charges and

ommissions.
The complaint says that under this The complaint says that under this contract a large amount of supplies was delivered, but the company was overcharged, the defendant firm representing that the bills surcharged represented the ruling market price. These representations were false, the complaint states, and the amount which the company paid in excess of the proper amount s estimated to be \$10,000

Commissioner Drummond said last right that the business of his firm is run by his son and that he has not seen the complaint in the present action. lates to his private business ar wouldn't discuss it anyhow, he said.

FAULT LAID ON ENGINEER. Long Island Ratiroad's Statement as to Collision at Hollands Station.

Following an investigation as to the accident at Hollands station, Rockaway Beach, where a number of passengers were injured by the locomotive of a train Powers in the management of the in charge of Engineer John Dunn and son Spiare Athletic Club, said yester-Conductor Larkin colliding with the rear Madeson Square Athletic Club, said yester-day that he and Mr. Powers would attend end of an electric train on Sunday morning. Assistant Superintendent H. W. Thornton of the Long Island Railroad yesterday gave out a statement in which the charge made at the time, that the

leaving Hollands station.

According to the statement made in behalf of the railroad the airbrakes of the train were tried out according to the train left Long Island City and were found to be in good working order. Twice on the trip to Hollands the airbrakes were tried to the trip to Hollands the airbrakes were tried to the trip to Hollands the airbrakes were tried to the trip to Hollands the airbrakes were tried to the trip to Hollands the airbrakes were tried to the trip to Hollands the airbrakes were tried to the trip to Hollands the airbrakes were tried to the trip to Hollands the airbrakes were tried to the trip to Hollands the airbrakes were tried to the trip to Hollands the airbrakes were tried to the trip to the trip to Hollands the airbrakes were tried to the trip to Hollands the airbrakes were tried to the trip to Hollands the airbrakes were tried to the trip to Hollands the airbrakes were tried to the trip to Hollands the airbrakes of the tried to the trip to the trip to Hollands the airbrakes were tried to the trip to the trip to Hollands the airbrakes were tried to the trip to the trip to Hollands the airbrakes were tried to the trip to the

COLLINS AND ALLEN INDICTED

SMUGGLING CHARGES AGAINST MRS. JENKINS'S FRIENDS.

They Are Accused of Bringing in Jewels Without Payment of Duty, and if Convicted May Each Get Six Years and a Fine of #18.000 - Both Are Wealths

The Jenkins-Allen jewel case, which Helen Dwelle Jenkins announced last spring that she was robbed of valuable gems while staying at the Hotel Lorraine in this city, came to a head yesterday Wise made public two indictments found by the Federal Grand Jury on August 23 against Nathan Allen, a wealthy leather manufacturer of Kenosha, Wis., and John R. Collins, president of the Southern Coal Company of Memphis, Tenn. The other persons" to defraud the United States

On June 25, 1909, Mrs. Jenkins, accompanied by Allen and Collins and a maid, arrived here from England on the Lusitania. The party, which had been touring Europe in Mrs. Jenkins's motor car, it was said, brought sixteen trunks. Though no definite information has been obtained on the point, it has been generally understood that no duty, or at least only part duty, had been paid on the contents of the trunks, which were bought abroad or on certain articles of jewelry which the indictments found last month charge Allen and Collins with concealing on their persons when they reached New York.

Specifically, the indictment against Allen charges that on June 25, 1909, the leather manufacturer "did knowingly, wilfully, fraudulently and unlawfully import" one large pearl necklace valued at \$10,000 and a bracelet in the design of a snake valued at \$1,800. The home values of these jewels are placed respec tively at \$16,000 and \$2,280. The indictment says Allen concealed the necklac and bracelet on his person and told acting Deputy Surveyor Joseph Sulzbach that he had nothing which was dutiable.

The third and last count of the indict ment charges conspiracy with "divers other persons" to defraud the Government

District Attorney's office that Ailen had many other dutiable articles concealed about him when he and his party landed many other dutiable articles concealed about him when he and his party landed at this port. No one was prepared to give an aggregate value of the merchandise on which duty has been about him the merchandise on which duty has been about him the merchandise on which duty has been about his party landed at the merchandise of the merchand with fraud vesterday in a complaint filed on which duty should have been paid. but it has been currently reported that the jewels were worth \$150,000, in addition to a pearl necklace valued at \$70,200.

According to rumor, Allen was at one time an ardent admirer of Mrs. Jenkins and, it is said, gave her jewels of great value. A subsequent misunderstanding between the woman and the Wisconsin manufacturer was the incentive, it is said, which took Mrs. Jenkins before the Federal Grand Jury to testify that many if not all of the jewels given to her had been imported without payment

of duty.

Later denials were made that there had been a falling out between the pair. Whatever it was that brought about the disclosure, it is a fact that Mrs. Jenkins was the principal witness before the Grand Jury, where she testified several times in the course of the summer. When the indictments were handed to the court on August 23 last they were placed under

is a wealthy coal operator of Tennessee and is a close personal friend of Allen. He is said to be a friend also of Mrs. Jen-kins's sister, who travelled in Europe

not given.

Both indictments are brought under sections 3082 and 5440 of the Federal Revised Statutes and section 9 of the act of June 10, 1890, as amended. The maxi-

mum sentence which may be imposed under each is six years imprisonment and \$15,000 in fines. No warrants have been issued for the arrest of the indicted men. Though their present whereabouts are not known to the District Attorney's office it is understood they can be readily reached when wanted. At the office of W. Wick-ham Smith, who is counsel for both men, it was said that the lawyer was out of town, but that he had undertaken to produce Allen and Collins when they are

Mrs. Jenkins has been living at the Hotel Wellsmore. Broadway and Seventy-

BOY MAKES PLUCKY RESCUE Dived for Brother Who Had Sunk and Brought Him Up From Bottom.

Charles Burrowes took his four-yearold sister Grace down to the dock of the estate on which they live at Riverdale vesterday afternoon and cast his book and line into the Hudson to fish. Charles and Grace have seven brothers and sisters. Their father, Henry, is a gardener on the estate of Cleveland H. Dodge at 247th street and the Hudson River While the youngster was talking to his sister and telling her what he would do that it passed the station running at sister and telling her what he would do about fifteen miles an hour and hit the if he got a bite he felt a hard tug on the rear of the electric train, which was just line. He jumped to his feet and began if he got a bite he felt a hard tug on the excitedly to yank in the fish. He danced

bined cries attracted the attention of

Washington, Sept. 6.—These army orders were issued to day:

Capt. Oliver L. Spaulding, Jr., Fifth Field Artillery, is detailed for duty with the organized militude of the States of Virginia and Fennsyl vania and the District of Columbia.

Capt. Robert B. Melride, quartermaster, to Fort Monroe, Va.

The following Second Lieutenants are assigned to regiments indicated: Thomas G. M. Oliphant, to Fifth Field Artillery; Mert Proctor, to Second Field Artillery; Joseph D. Patch, to Tenth Infantry, Fifth Field Artillery; Joseph D. Patch, to Tenth Infantry. The following ransfers are ordered: Maior James A. Cole, from Sixth Cavairy to Fourth Cavairy: Major Grote Hutcheson, from Fourth Cavairy it office for the dock of the bottom face up, entangled by the fish line. He brought thim to the surface and then towed him These navy orders were issued:

Rear Admiral A. Reynolds, from command of the Franklin to governor of naval home, Philadelphila.

Capt. Robert B. Melride, quartermaster, to Fourth, to Fifth Field Artillery; Artick Frissell, to Fifthern Infantry. The following transfers are ordered: Maior James A. Cole, from Sixth Cavairy to Fourth Cavairy to Sixth Cavairy.

First Lleut Clarence K. Lyman is assigned to Twelfth Cavairy.

The solomy are the brought of the water, and now he found Charles lying on the bottom face up, entangled by the fish line. He brought thim to the surface and then towed him fifteen feet to the pier.

The boy was exhausted by his efforts and it was only with the help of Mrs. Dillon that he got his unconscious brother onto the dock. John scrambled up himself and then ran with his brother to their father's coltage. He and the boatman's wife rolled some of the water onto the dock. John scrambled up himself and then ran with his brother to their father's coltage. He and the boatman's wife rolled some of the water and down according to first aid rules. Dr. T. W. Martin of 231st street and Bailey are not the found the boy on the way to recovery. The found the boy on the way to recovery. The found the b

Western Union "Day Letters" and "Night Letters" take pre-

cedence over all mail.

addressed. They demand and receive im-

They go direct to the person

mediate and personal attention. They exact the courtesy of an instant reply.

They put widely separated men and places next door to each other.

THE WESTERN UNION TELEGRAPH COMPANY

BETRAYED BY FINGER PRINTS. Man Arrested Through Print Left on Door Held on Charge of Theft.

Captain Joseph A. Faurot, the head of the criminal investigation bureau of Police Headquarters, who has just returned from Europe, where he has been conferring with M. Bertillon, testified in the Jefferson Market Court yesterday morning as a finger print expert.

The case involved three men who were charged with entering a store at 1313 Broadway on August 1 and stealing \$8,000 worth of human hair goods. An impression of finger prints left on a glass door other persons" to defraud the Government with respect to duty on the articles specified.

Though the indictment is brief and specifies only two articles of jewelry as having been entered without payment, it was said yesterday at the Federal District Attorney's office that Ailen had

on to be blurred, whereas the impression on the records were carefully recorded. Capt. Faurot told Magistrate Freschi that it didn't matter a bit about the impression being blurred. He said that after the man had slid his hand along the glass his fingers became stationary for a moment as they ran against the frame; it was at that moment that the moment is the stationary. it was at that moment that the man left a clear impression of his fingers. The other blurrs didn't count. Carrara was held without bail for trial before the Granti-Jury.

RAILWAY BAGGAGE LIABILITY.

Massachusetts Court Holds That It Is the Full Value of the Property. BOSTON, Sept. 6.-Apparently there is

no limit to the liability of a railroad for the loss or destruction of a passenger's baggage under a decision handed down to-day by the Supreme Court in the suit brought by Katharine Hooker of Los Angeles, Cal., against the Boston and Maine Railroad. In the decision the full court holds that

she was stopping in Boston and she did not receive her checks for her two trunks

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Conservation Commission's Appointment ALBANY, Sept. 8.—The State Conserva not receive her checks for her two trunks and a suitcase until the day after her arrival at Lake Sunapee.

On September 17 the station at Lake Sunapee was burned and the plaintiff's baggage was destroyed in the fire. The two trunks were worth \$55 and \$20 apiece and the suitcase \$12 exclusive of the contents, which were valued at \$1,904.50.

The railroad at the trial of the case before

Do You Come Home Tired? Here's the Dinner Drink



The News and Reviews of Books will be printed in

The Sun

On Saturday September 9

and thereafter on Saturdays until further notice.